REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 1, 3, 6, and 8 and claims 11-15 have been canceled. Applicant respectfully submits no new matter has been added. Claims 1-10 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Examiner Objections - Claims

Claims 2, 6 and 11 were objected to because of informalities, specifically indicating that the Applicant was not consistent in a marking system to mark deleted matter. Claims 1, 3, 6, 12 and 13 were also objected to because of various informalities. The Applicant appreciates the Examiner's thorough review of the claims. The Applicant has amended the claims as suggested by the Examiner in order to correct the informalities. Claims 11-15 have been canceled. The Examiner's consideration of the remaining claims is respectfully requested.

Claim Rejections – 35 U.S.C. § 112

Claims 1 and 13 stand rejected under 35 U.S.C. § 102 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claim 13 has been canceled rendering the rejection of this claim moot

The Applicant has amended claim 1 in line with the Examiner's noted antecedent basis rejection to better define the intended scope of the claimed invention. The Examiner's consideration of the amended claims is respectfully requested.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 1-3, 6-8 and 11-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Darland, et al. (US 5,793,771 hereinafter Darland) in view of Lehtimaki, et al. (US Pub. 2002/0085512 hereinafter Lehtimaki). Claims 11-15 have

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been canceled rendering the rejection of these claims moot. The Applicant respectfully traverses the rejection of the remaining rejected claims.

The Applicants' invention discloses a method and apparatus for permitting interaction of different networks, specifically second generation (2G) and third generation (3G) networks. A GPRS tunneling protocol (GTP) splitter is utilized in a 3G-Gateway server node (3G-GSN) to split an incoming 2G signal into control data and user data (GTP-C and GTP-U). In the 3G network, a node separate from the node handling the user data handles control data. The control data is forwarded to the 3G-GSN server for resource handling and the user data is processed in the 3G-GSN. In the reverse, the 3G-GSN server sends GTP-C messages to the 3G-GSN gateway. The gateway converts the GTP-C messages to GTP and forwards the messages to the 2G-GSN node. The user traffic is processed in the 3G-GSN gateway in both directions.

The Applicant has amended claims 1 and 6 to better define the intended scope of the claimed invention and respectfully directs the Examiner's attention to amended claim 1. The support for the amendment is found on page

> 1.   (Currently Amended)   A   method   for   enabling communication between a first network in which control functions and user functions are combined in a first node and a second network in which control functions and user functions are separately implemented in second and third nodes, respectively, wherein <u>the first node is a second generation Global Packet Radio Service (GPRS) node, the second node is a third generation GPRS support node server and the third node is a third generation GPRS support node gateway,</u> the method comprising the steps of:
>
> receiving a communication in the third node;
> determining whether the received communication contains control data;
> if the received communication contains control data, extracting control data from the received communication <u>utilizing a GPRS Tunneling Protocol (GTP) splitter;</u>
> forwarding the control data to the second node for <u>processing and</u> resource handling and processing user data from the communication in the third node . (emphasis added)

The Darland and Lehtimaki references, individually or in combination, do not teach or suggest the emphasized limitations in amended claim 1.

The Darland reference appears to disclose a system and method for protocol translation. In particular, Darland discloses converting SS7 protocol to a different protocol, both inbound and outbound. Simply put, for inbound service, the MTP and SCCP are stripped from an SS7 query and the transaction portion of the TCAP is decoded. After decoding (parsing), the component portion of the TCAP is passed to an inbound subsystem module. In order for the query to be routed to the second network properly, the TCAP parameters are translated into the required format and attached to the query. The non-SS7 protocol packet is formatted and delivered to a Network Interface Module and the module routes the message to the non-SS7 network. (Col. 2, line 51 to Col 3, line 3).

In contrast to the Darland reference, the present invention, as claimed in amended claim 1, receives an incoming message from a 2G node and according to a message type field removes the control data in the GTP packet from the message for forwarding to the 3G-GSN server (Page 6). The user data is then processed in the 3G-GSN gateway. Darland, in contrast strips off and replaces the MTP and SCCP with translated parameters. The message with control data and user data is processed in the same node in the Darland reference and in two nodes in the Applicants' invention. The Applicants respectfully submit that Darland does not disclose (directly or inherently) the above limitation in claim 1 of splitting an incoming signal into a control part and a user part utilizing a GTP splitter. The Applicant respectfully submits that Darland does not teach a second generation GPRS node communicating with a third generation GPRS network by splitting the control and data bundle and processing separately in a server node and a gateway node.

The Lehtimaki reference is cited for implementing second and third nodes separately and forwarding control data to the second node for resource handling. Applicants have reviewed the cited paragraphs and believe that the reference discusses utilizing the MSC to control resources. Lehtimaki does discuss separating control and user planes. However, separating the planes does not imply identifying messages containing control and data parts, splitting the messages and processing each

separately, the control part in a server node and the data part in the gateway node. The Applicant respectfully submits that Lehtimaki does not supply the missing limitations.

As between claim 1 and the Darland and Lehtimaki references, the Applicants submit that independent claim 6 contains limitations analogous to those found in claim 1. The Applicants respectfully request that the rejection of claims 1 and 6 and the respective dependent claims, 2-3 and 7-8, be withdrawn.

Claims 4, 5, 9, 10, 14 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Darland in view of Lehtimaki and further in view of Lintulampi (US 6,377,804). In order to expedite allowance of this application, the Applicant has canceled claims 14 and 15 without prejudice. Therefore, this rejection with respect to these claims is deemed to be moot.

Lintulampi is cited for teaching the first network as a second-generation packet network and the second network as a third generation packet data network. The Lintulampi reference does not supply the GTP protocol splitter for separating the control and data messages. Claims 4, 5, 9 and 10 contain the same limitations as the respective independent claims and are thus patentable over the combination of Darland, Lehtimaki and Lintulampi. The Applicant respectfully requests that the rejection of claims 4, 5, 9 and 10 be withdrawn.
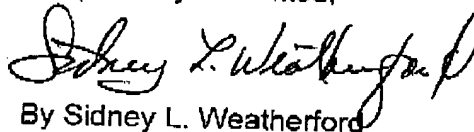
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CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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Date: August 4, 2004

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